

SENATE BILL 419

By Haile

AN ACT to amend Tennessee Code Annotated, Title 24,  
Chapter 7 and Title 37, relative to child forensic  
interviews.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subsection (a) and substituting:

Notwithstanding this part to the contrary, a video recording of a child by a forensic interviewer containing a statement made by the child under eighteen (18) years of age describing an act of sexual, abusive, or violent contact performed with or on the child by a person or describing an act of sexual, abusive, or violent contact performed by a person with or on another and witnessed by the child is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of a criminal proceeding or juvenile court proceeding of the person arising from the sexual, abusive, or violent contact if the requirements of this section are met.

SECTION 2. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subdivision (b)(3)(C) and substituting:

(C)

(i) Had experience equivalent to three (3) years of full-time professional work in one (1) or a combination of the following areas:

- (a) Child protective services;
- (b) Criminal justice;
- (c) Clinical evaluation;
- (d) Counseling; or

(e) Forensic interviewing or other comparable work with children;

or

(ii) Had been supervised by an experienced forensic interviewer for a minimum of twenty (20) forensic interviews, in addition to the requirement of subdivision (b)(3)(E);

SECTION 3. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subsection (c) and substituting:

(c) The video recording admitted pursuant to this section is discoverable in proceedings governed by the Tennessee Rules of Criminal Procedure.

SECTION 4. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subsection (d) and substituting:

(d) A judge of a court of record shall make specific findings of fact on the record as to the basis for a ruling under this section.

SECTION 5. Tennessee Code Annotated, Section 24-7-123, is amended by adding the following as a new subsection:

It is the legislative intent that forensic interviews be used in proceedings in all courts if the forensic interview is conducted in accordance with this section and other applicable law.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.